

Exhibit H

REDACTED

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3 Civil Case No. 13 CV 1432

4 - - - - - x
5 WILLIAM HENIG, on behalf of himself and all
6 others similarly situated,

7 Plaintiff,

8 - against -

9 QUINN EMANUEL URQUHART & SULLIVAN, LLC and
10 PROVIDUS NEW YORK, LLC,

11 Defendants.

12 - - - - - x

13 233 Broadway
14 New York, New York

15 September 4, 2014
16 10:09 a.m.

17 PRIVILEGED - CONFIDENTIAL
18 SUBJECT PROTECTIVE ORDER

19 DEPOSITION of KEN TANZER,
20 held at the above time and place, taken
21 before Brittany Saline, a Notary Public of
22 the State of New York, pursuant to the
23 Federal Rules of Civil Procedure.
24
25

1 K. TANZER - PRIVILEGED - CONFIDENTIAL
2 know. Just please do not take a break
3 when there is a question pending; is
4 that okay?

5 THE WITNESS: Yes.

6 MR. KIRSCHENBAUM: You can
7 talk to your lawyer at any time as
8 long as there is no question pending;
9 is that understood?

10 THE WITNESS: Yes.

11 MR. KIRSCHENBAUM: During the
12 deposition, your attorney might object
13 to some of my questions. Unless he
14 specifically instructs you not to
15 answer, you can answer my question;
16 understood?

17 THE WITNESS: Yes.

18 Q Are you currently taking any
19 medications that may impair your ability to
20 testify truthfully today?

21 A No.

22 Q Is there any other reason why
23 your memory might be impaired today?

24 A No.

25 Q Do you currently work at Quinn

1 K. TANZER - PRIVILEGED - CONFIDENTIAL

2 Emanuel?

3 A Yes.

4 Q What is your job title?

5 A Contract attorney.

6 Q How long have you been
7 employed as a contract attorney at Quinn
8 Emanuel?

9 A There is a break in the
10 timing, I started out there must have been
11 early 2007, I was there for about a half
12 year and then I left and then I came back
13 somewhere between three or four years ago.

14 Q So you came back between 2010
15 and 2011?

16 A Around there, yes.

17 Q And when you started in 2007,
18 how long did that last?

19 A It was six months, seven
20 months.

21 Q Where did you work in between
22 that and your second employment at Quinn
23 Emmanuel?

24 A I worked at Kavanagh, Maloney,
25 Osnato.

1 K. TANZER - PRIVILEGED - CONFIDENTIAL

2 Q Was your contract position at
3 Quinn Emmanuel your first job out of law
4 school?

5 A Yes.

6 Q When did you graduate law
7 school?

8 A 2006.

9 Q And are you admitted to the
10 New York State bar?

11 A Yes.

12 Q When were you admitted to the
13 New York State bar?

14 MR. KITCHENS: Objection.

15 A Soon after graduation, I think
16 2007 was the year.

17 Q Before you started your
18 contract position at Quinn Emmanuel?

19 MR. KITCHENS: Objection.

20 A No.

21 Q Your first position at Quinn
22 Emanuel in early 2007, was that a document
23 review project?

24 MR. KITCHENS: Objection.

25 A A document review was part of

1 K. TANZER - PRIVILEGED - CONFIDENTIAL
2 it, yes.

3 Q What were the other parts of
4 it?

5 MR. KITCHENS: Objection.

6 A It was mainly document review,
7 but it was -- I was the only contract
8 attorney on the matter, so I was kind of
9 involved throughout.

10 Q Okay. Are you currently
11 employed as a second-level reviewer?

12 A Currently working as a
13 privilege log reviewer the case I am
14 working on now.

15 Q Okay. And you're familiar
16 with William Henig?

17 A I believe I interviewed him.

18 Q Okay. You know that he was
19 employed as a document reviewer at Quinn
20 Emanuel for roughly, I would say, a month
21 or two in the year of 2012?

22 A Yes, I believe he was
23 employed, he was working on a Quinn matter
24 through an agency.

25 Q Right.

1 K. TANZER - PRIVILEGED - CONFIDENTIAL
2 of individuals and say these people are
3 coming in, please interview them?

4 A I was emailed a list of
5 individuals, time frames and they attached
6 their resumes.

7 Q And this list was emailed to
8 you by Todd Riegler?

9 MR. KITCHENS: Objection.

10 A I believe so, yes.

11 Q As far as you know, are you
12 the only individual at Quinn Emanuel to
13 interview Mr. Henig?

14 MR. KITCHENS: Objection.

15 A I couldn't -- I have no idea.

16 Q Mr. Riegler asked you to
17 interview Mr. Henig, did he give you any
18 specifics as to what you were supposed to
19 be looking for during this interview?

20 A Not specifically that
21 interview. Generally speaking, when it
22 came to interviewing the candidates, we
23 were told to -- there was a few things he
24 wanted noted in our reply email where we
25 evaluated the candidates and he wanted to

1 K. TANZER - PRIVILEGED - CONFIDENTIAL
2 know what state they were admitted to for
3 bar admittance and what year. He wanted to
4 know -- he had a ranking system where we
5 would say -- you know, it was a number
6 system, I think it was maybe 1 through 3 or
7 1 through 4, where it was definitely hire,
8 strong approval, approval, and then
9 question and why, like a No. 3 would need a
10 why and 4 was do not approve.

11 Q So 1 would be definitely hire?

12 A Yes.

13 Q And 2?

14 A That was still like hire.

15 Q Hire?

16 A Yes.

17 Q Just not definitely?

18 A One was strong approval, 2 was
19 approval, 3 was --

20 Q Question mark?

21 A -- do not approve and give a
22 short reason why, and 4 was strong
23 disapproval. I believe, that was a while
24 ago, I haven't seen the email.

25 Q Is it your understanding that

1 K. TANZER - PRIVILEGED - CONFIDENTIAL
2 your recommendation of this regard was
3 generally followed?

4 MR. KITCHENS: Objection.

5 A Excuse me, can you please
6 repeat?

7 Q Sure. Is it your
8 understanding that your recommendation in
9 this regard was generally followed by Quinn
10 Emanuel?

11 A I do not know what they did,
12 it was not my hands to say definitely this
13 or that, it just went to them and then the
14 process went on without my knowledge.

15 Q Of the seven people you
16 interviewed, did you give any of those
17 individuals a 3 recommendation?

18 A First of all, I am not sure if
19 it was exactly seven, that was a general
20 ballpark recollection I had it, could have
21 been five it, could have been eight.

22 Q Okay.

23 A And I believe I gave maybe
24 one, I definitely gave one person a 1 and I
25 believe the rest were 2.

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2 MR. KITCHENS: Objection.

3 Q Did those people subsequently
4 get hired for the job to your knowledge?

5 A I know that I had seen three
6 of them subsequently.

7 Q Okay. Do you remember what
8 number you gave Mr. Henig?

9 A I do not -- well, actually I
10 do. I think I gave everyone 1s or 2s and I
11 know who I gave a 1 to, so I believe I gave
12 him a 2.

13 Q You would send these numbers
14 in a report to Mr. Riegler?

15 A It was just an email with, you
16 know, the bar admittance, the number, not
17 sure if we included what law school, that
18 might have been another thing we added, I
19 am not sure, and our recommendation number,
20 it's a while ago, I can't recollect
21 everything that was in that email.

22 Q Would you have sent that email
23 from a Quinn Emmanuel email address?

24 A Yes.

25 Q Do you know if you searched

1 K. TANZER - PRIVILEGED - CONFIDENTIAL
2 your Quinn Emmanuel address to find a copy
3 of that email?

4 A Do I know -- excuse me?

5 MR. KITCHENS: Objection.

6 Q Have you looked through your
7 email for a copy of the email you sent to
8 Todd Riegler for your recommendation to
9 Mr. Henig?

10 A No.

11 MR. KIRSCHENBAUM: Obviously
12 we're going to request it.

13 MR. KITCHENS: Okay. We can
14 discuss at the end of the deposition.

15 MR. KIRSCHENBAUM: Okay. Do
16 you have something you want?

17 MR. KITCHENS: No, we can just
18 talk after.

19 MR. KIRSCHENBAUM: We're going
20 to request that Quinn Emmanuel produce
21 that email.

22 MR. KITCHENS: We can discuss
23 at the end.

24 Q What criteria did you consider
25 when ranking an interviewee?

1 K. TANZER - PRIVILEGED - CONFIDENTIAL

2 A Sure, well, we had the resume
3 so we know what law school they went to.
4 And then when I look at the resume I try to
5 get -- things that we look for would be
6 some experience for the document review.
7 None of these things were also, if they
8 didn't have it, you wouldn't hire, if they
9 did have it, you definitely hire. But some
10 of the things that factor in would be where
11 they went to law school, if they had
12 document review experience and if there is
13 anything in their background that was
14 finance-related, but then -- so I would
15 look at that to get a feel for what a
16 candidate's strengths or weaknesses might
17 be and when I interview them, you know,
18 let's say a weakness is that they didn't
19 have document review experience, you kind
20 of discuss the document review process and
21 get a feel for their understanding of what
22 you're explaining and comfort level with
23 it. And, you know, someone didn't have,
24 you know, financial background, I would ask
25 them if they had a general understanding of

1 K. TANZER - PRIVILEGED - CONFIDENTIAL
2 the [REDACTED] process or about, you
3 know, just what was in the news about the
4 [REDACTED] [REDACTED], collapse market
5 issues. And if they had a feel for that,
6 that would weigh in their favor, and those
7 are the things -- so you would look for
8 what the resume didn't have and get a sense
9 of their strengths with that.

10 Just generally, too, you know,
11 since you work in large groups and this and
12 there is a lot of interaction and
13 discussing of what we're seeing, you get a
14 feel for how communicative they are and how
15 well, you know, they can work in groups.

16 Q Do you remember if Mr. Henig
17 had any document review experience before
18 interviewing with you?

19 A No, I don't remember.

20 Q Do you remember if he had any
21 financial background before the interview
22 with you?

23 A Honestly, I don't remember any
24 of the details of the interview or his
25 resume.